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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

Santosh Misra and William W. Kay

Application No. 10/719,623

Filed: November 20, 2003

Confirmation No. 3643

**For: TRANSGENIC PLANTS THAT ARE
RESISTANT TO A BROAD SPECTRUM
OF PATHOGENS**

Examiner: David Kruse, Ph.D.

Art Unit: 1638

Attorney Reference No. 7013-67324-01

**MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)

Date Mailed November 3, 2004

[Signature]

SECOND PRELIMINARY AMENDMENT

This responds to the Communication dated October 26, 2004. Please amend the referenced application as follows:

Amendments to the Specification begin on page 2.

Amendments to the Claims are reflected in the listing of claims, which begins on page 8.

Remarks begin on page 12.

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